

07/20/01
JCS93 U.S. PTO

07. 2301 A

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 1-15407

First Inventor Kaplan, Andreas

Title Beta-Hydroxyalkylamides, Process
for Their Production and Their Use

Express Mail Label No. EL850046815US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 11]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets]

5. Oath or Declaration [Total Pages 2]

- a. Newly executed (original or copy) (unsigned)
- b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of
(when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.

17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No. /

Prior application information:

Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)		or <input checked="" type="checkbox"/> Correspondence address below		
Name	D. Edward Dolgorukov				
Address	Marshall & Melhorn, LLC Four SeaGate, Eighth Floor				
City	Toledo	State	Ohio	Zip Code	43604
Country	USA	Telephone	419-249-7100	Fax	419-249-7151
Name (Print/Type)	D. Edward Dolgorukov		Registration No. (Attorney/Agent)	26,266	
Signature			Date	7/20/01	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

09/90573 PTO
07/20/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 710)

Compl t if Known

Application Number	
Filing Date	
First Named Inventor	Kaplan, Andreas
Examiner Name	
Group Art Unit	
Attorney Docket No.	1-15407

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	13-1816
Deposit Account Name	Marshall & Melhorn, LLC

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	710
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	
SUBTOTAL (1) (\$ 710)			

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
14	-20**	= 0	x = 0
1	- 3**	= 0	x = 0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103	18	203 9 Claims in excess of 20	
102	80	202 40 Independent claims in excess of 3	
104	270	204 135 Multiple dependent claim, if not paid	
109	80	209 40 ** Reissue independent claims over original patent	
110	18	210 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$ 0)			

*or number previously paid, if greater; For Reissues, see above

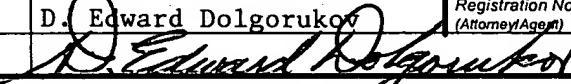
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	126 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Name (Print/Type)	D. Edward Dolgorukov	Registration No. (Attorney/Agent)	26,266	Telephone	419-249-7146	
Signature					Date	July 20, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Certificate under 37 CFR 1.10 of Mailing by "Express Mail"

EL850046815US

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July 20, 2001

Date of Deposit

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Sarah E. Dutridge

Signature of person mailing correspondence

Sarah E. Dutridge

Typed or printed name of person mailing correspondence

NOTE: Each paper must have its own certificate of mailing by "Express Mail", or this certificate must identify each submitted paper.

New Utility Patent Application

Title: BETA-HYDROXYALKYAMIDES, PROCESS FOR THEIR PRODUCTION

AND THEIR USE

Inventors: Kaplan, et al.

Docket No. 1-15407

Attorneys: Marshall & Melhorn, LLC, Four SeaGate, Eighth Floor,
Toledo, OH 43604 ph: 419-249-7100 / fax: 419-249-7151

Attn: Docket No. 1-15407

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Jc903 U.S. PTO
09/909573
07/20/01

In re application of: Kaplan
Serial No.: 0 /
Filed:
For: Beta-Hydroxyalkylamides, Process
for Their Production and Their Use
Assistant Commissioner for Patents
Washington, D.C. 20231

Group No.:

Examiner:

TRANSMITTAL OF CERTIFIED COPY

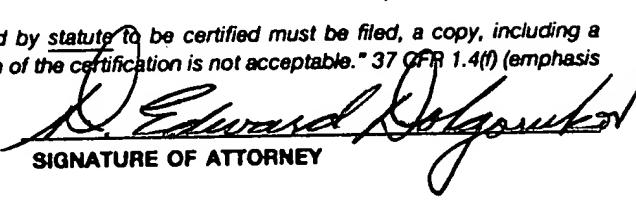
Attached please find the certified copy of the foreign application from which priority is claimed for this case:

Country: Germany

Application
Number: 100 53 194.6

Filing Date: October 26, 2000

WARNING: "When a document that is required by statute to be certified must be filed, a copy, including a photocopy or facsimile transmission of the certification is not acceptable." 37 CFR 1.4(f) (emphasis added).


SIGNATURE OF ATTORNEY

Reg. No. 26,266

D. Edward Dolgorukov

(type or print name of attorney)

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P.O. Address
Toledo, OH 43604

NOTE: The claim to priority need be in no special form and may be made by the attorney or agent, if the foreign application is referred to in the oath or declaration, as required by § 1.63.

CERTIFICATE UNDER 37 CFR 1.10 OF MAILING BY "EXPRESS MAIL"

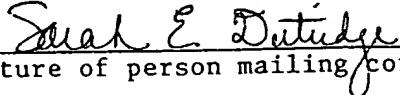
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July 20, 2001

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Signature of person mailing correspondence

Sarah E. Dutridge

Typed or printed name of person mailing correspondence